	CAMPAIGN FINANCIAL DISCLOSURES
	2015 GENERAL SESSION
	STATE OF UTAH
	Chief Sponsor: Craig Hall
	Senate Sponsor:
	LONG TITLE
	General Description:
	This bill changes the date on which certain filing entities are required to submit certain
	financial disclosures.
	Highlighted Provisions:
	This bill:
	 changes the date on which certain filing entities are required to file a financial
•	disclosures report; and
	 makes technical and conforming changes.
]	Money Appropriated in this Bill:
	None
	Other Special Clauses:
	None
	Utah Code Sections Affected:
	AMENDS:
	20A-11-204, as last amended by Laws of Utah 2013, Chapters 170 and 420
	20A-11-206, as last amended by Laws of Utah 2013, Chapters 170, 252, 317, and 420
	20A-11-303, as last amended by Laws of Utah 2013, Chapters 170 and 420
	20A-11-305 , as last amended by Laws of Utah 2013, Chapters 170, 252, 317, and 420
	20A-11-507, as last amended by Laws of Utah 2010, Chapter 389
	20A-11-508 , as last amended by Laws of Utah 2013, Chapters 252 and 420



28	20A-11-511 , as enacted by Laws of Utah 2011, Chapter 396
29	20A-11-512, as last amended by Laws of Utah 2013, Chapters 252 and 420
30	20A-11-602, as last amended by Laws of Utah 2013, Chapter 420
31	20A-11-603, as last amended by Laws of Utah 2013, Chapters 252 and 420
32	20A-11-701, as last amended by Laws of Utah 2013, Chapters 318 and 420
33	20A-11-702, as last amended by Laws of Utah 2013, Chapters 318 and 420
34	20A-11-802, as last amended by Laws of Utah 2013, Chapter 420
35	20A-11-803, as last amended by Laws of Utah 2013, Chapter 420
36	20A-11-1303, as last amended by Laws of Utah 2014, Chapter 337
37	20A-11-1305, as last amended by Laws of Utah 2014, Chapter 337
38	20A-11-1502, as enacted by Laws of Utah 2010, Chapter 389
39	
40	Be it enacted by the Legislature of the state of Utah:
41	Section 1. Section 20A-11-204 is amended to read:
42	20A-11-204. State office candidate and state office holder Financial reporting
43	requirements Interim reports.
44	(1) (a) As used in this Subsection (1), "campaign account" means a separate campaign
45	account required under Subsection 20A-11-201(1)(a).
46	(b) Except as provided in Subsection (1)(c), each state office candidate shall file an
47	interim report at the following times in any year in which the candidate has filed a declaration
48	of candidacy for a public office:
49	(i) seven days before the candidate's political convention;
50	(ii) seven days before the regular primary election date;
51	(iii) [August 31] September 30; and
52	(iv) seven days before the regular general election date.
53	(c) If a state office candidate is a state office candidate seeking appointment for a
54	midterm vacancy, the state office candidate:
55	(i) shall file an interim report:
56	(A) no later than seven days before the day on which the political party of the party for
57	which the state office candidate seeks nomination meets to declare a nominee for the governor
58	to appoint in accordance with Section 20A-1-504; or

59 (B) if a state office candidate decides to seek the appointment with less than seven days 60 before the party meets, or the political party schedules the meeting to declare a nominee less than seven days before the day of the meeting, no later than 5 p.m. on the last day of business 61 62 before the day on which the party meets; and 63 (ii) is not required to file an interim report at the times described in Subsection (1)(b). 64 (d) Each state office holder who has a campaign account that has not been dissolved 65 under Section 20A-11-205 shall, in an even year, file an interim report at the following times, regardless of whether an election for the state office holder's office is held that year: 66 67 (i) seven days before the political convention for the political party of the state office 68 holder: 69 (ii) seven days before the regular primary election date; 70 (iii) [August 31] September 30; and 71 (iv) seven days before the regular general election date. 72 (2) Each interim report shall include the following information: 73 (a) the net balance of the last summary report, if any; 74 (b) a single figure equal to the total amount of receipts reported on all prior interim 75 reports, if any, during the calendar year in which the interim report is due; (c) a single figure equal to the total amount of expenditures reported on all prior 76 77 interim reports, if any, filed during the calendar year in which the interim report is due; 78 (d) a detailed listing of each contribution and public service assistance received since 79 the last summary report that has not been reported in detail on a prior interim report; 80 (e) for each nonmonetary contribution: 81 (i) the fair market value of the contribution with that information provided by the 82 contributor; and (ii) a specific description of the contribution; 83 84 (f) a detailed listing of each expenditure made since the last summary report that has 85 not been reported in detail on a prior interim report; 86 (g) for each nonmonetary expenditure, the fair market value of the expenditure; 87 (h) a net balance for the year consisting of the net balance from the last summary

report, if any, plus all receipts since the last summary report minus all expenditures since the

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last summary report;

90	(i) a summary page in the form required by the lieutenant governor that identifies:
91	(i) beginning balance;
92	(ii) total contributions during the period since the last statement;
93	(iii) total contributions to date;
94	(iv) total expenditures during the period since the last statement; and
95	(v) total expenditures to date; and
96	(j) the name of a political action committee for which the state office candidate or state
97	office holder is designated as an officer who has primary decision-making authority under
98	Section 20A-11-601.
99	(3) (a) For all individual contributions or public service assistance of \$50 or less, a
100	single aggregate figure may be reported without separate detailed listings.
101	(b) Two or more contributions from the same source that have an aggregate total of
102	more than \$50 may not be reported in the aggregate, but shall be reported separately.
103	(4) (a) In preparing each interim report, all receipts and expenditures shall be reported
104	as of five days before the required filing date of the report.
105	(b) Any negotiable instrument or check received by a state office candidate or state
106	office holder more than five days before the required filing date of a report required by this
107	section shall be included in the interim report.
108	Section 2. Section 20A-11-206 is amended to read:
109	20A-11-206. State office candidate Failure to file reports Penalties.
110	(1) (a) A state office candidate who fails to file a financial statement by the deadline is
111	subject to a fine imposed in accordance with Section 20A-11-1005.
112	(b) If a state office candidate fails to file an interim report [due before the regular
113	primary election, on August 31, or before the regular general election] described in Subsections
114	20A-11-204(1)(b)(ii) through (iv), the lieutenant governor shall, after making a reasonable
115	attempt to discover if the report was timely filed, inform the county clerk and other appropriate
116	election officials that the state office candidate is disqualified.
117	(c) (i) The vacancy on the ballot resulting from the disqualification may be filled as
118	provided in Section 20A-1-501.
119	(ii) If a state office candidate is disqualified under Subsection (1)(a), the election
120	official shall:

121 (A) remove the candidate's name from the ballot; or 122 (B) if removing the candidate's name from the ballot is not practicable, inform the 123 voters by any practicable method that the candidate has been disqualified and that votes cast for 124 the candidate will not be counted. 125 (d) Notwithstanding Subsections (1)(b) and (1)(c), a state office candidate is not 126 disqualified if: 127 (i) the candidate timely files the reports required by this section no later than the due 128 date in accordance with Section 20A-11-103; 129 (ii) the reports are completed, detailing accurately and completely the information 130 required by this part except for inadvertent omissions or insignificant errors or inaccuracies: 131 and 132 (iii) the omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are 133 corrected in: 134 (A) an amended report; or 135 (B) the next scheduled report. 136 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant 137 governor shall review each filed summary report to ensure that: 138 (i) each state office candidate that is required to file a summary report has filed one: 139 and 140 (ii) each summary report contains the information required by this part. 141 (b) If it appears that any state office candidate has failed to file the summary report 142 143

required by law, if it appears that a filed summary report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any summary report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the state office candidate of the violation or written complaint and direct the state office candidate to file a summary report correcting the problem.

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- (c) (i) It is unlawful for any state office candidate to fail to file or amend a summary report within seven days after receiving notice from the lieutenant governor under this section.
- (ii) Each state office candidate who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.

152	(iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
153	attorney general.
154	(iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant
155	governor shall impose a civil fine of \$100 against a state office candidate who violates
156	Subsection (2)(c)(i).
157	Section 3. Section 20A-11-303 is amended to read:
158	20A-11-303. Legislative office candidate and legislative office holder Financial
159	reporting requirements Interim reports.
160	(1) (a) As used in this Subsection (1), "campaign account" means a separate campaign
161	account required under Subsection 20A-11-301(1)(a)(i).
162	(b) Except as provided in Subsection (1)(d), each legislative office candidate shall file
163	an interim report at the following times in any year in which the candidate has filed a
164	declaration of candidacy for a public office:
165	(i) seven days before the candidate's political convention;
166	(ii) seven days before the regular primary election date;
167	(iii) [August 31] September 30; and
168	(iv) seven days before the regular general election date.
169	(c) Each legislative office holder who has a campaign account that has not been
170	dissolved under Section 20A-11-304 shall, in an even year, file an interim report at the
171	following times, regardless of whether an election for the legislative office holder's office is
172	held that year:
173	(i) seven days before the political convention for the political party of the legislative
174	office holder;
175	(ii) seven days before the regular primary election date for that year;
176	(iii) [August 31] September 30; and
177	(iv) seven days before the regular general election date.
178	(d) If a legislative office candidate is a legislative office candidate seeking appointment
179	for a midterm vacancy, the legislative office candidate:
180	(i) shall file an interim report:
181	(A) no later than seven days before the day on which the political party of the party for
182	which the legislative office candidate seeks nomination meets to declare a nominee for the

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(i) beginning balance;

(iii) total contributions to date;

(v) total expenditures to date; and

183 governor to appoint in accordance with Section 20A-1-503; or 184 (B) if a legislative office candidate decides to seek the appointment with less than 185 seven days before the party meets, or the political party schedules the meeting to declare a 186 nominee less than seven days before the day of the meeting, no later than 5 p.m. on the last day 187 of business before the day on which the party meets; and 188 (ii) is not required to file an interim report at the times described in Subsection (1)(b). 189 (2) Each interim report shall include the following information: 190 (a) the net balance of the last summary report, if any: 191 (b) a single figure equal to the total amount of receipts reported on all prior interim reports, if any, during the calendar year in which the interim report is due; 192 193 (c) a single figure equal to the total amount of expenditures reported on all prior 194 interim reports, if any, filed during the calendar year in which the interim report is due; 195 (d) a detailed listing of each contribution and public service assistance received since 196 the last summary report that has not been reported in detail on a prior interim report; 197 (e) for each nonmonetary contribution: 198 (i) the fair market value of the contribution with that information provided by the 199 contributor; and 200 (ii) a specific description of the contribution; 201 (f) a detailed listing of each expenditure made since the last summary report that has 202 not been reported in detail on a prior interim report; 203 (g) for each nonmonetary expenditure, the fair market value of the expenditure; 204 (h) a net balance for the year consisting of the net balance from the last summary 205 report, if any, plus all receipts since the last summary report minus all expenditures since the 206 last summary report; 207 (i) a summary page in the form required by the lieutenant governor that identifies:

(ii) total contributions during the period since the last statement;

(iv) total expenditures during the period since the last statement; and

(i) the name of a political action committee for which the legislative office candidate or

legislative office holder is designated as an officer who has primary decision-making authority under Section 20A-11-601.

- (3) (a) For all individual contributions or public service assistance of \$50 or less, a single aggregate figure may be reported without separate detailed listings.
- (b) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.
- (4) (a) In preparing each interim report, all receipts and expenditures shall be reported as of five days before the required filing date of the report.
- (b) Any negotiable instrument or check received by a legislative office candidate or legislative office holder more than five days before the required filing date of a report required by this section shall be included in the interim report.
 - Section 4. Section **20A-11-305** is amended to read:

- 20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.
- (1) (a) A legislative office candidate who fails to file a financial statement by the deadline is subject to a fine imposed in accordance with Section 20A-11-1005.
 - (b) If a legislative office candidate fails to file an interim report [due before the regular primary election, on August 31, or before the regular general election] described in Subsections 20A-11-303(1)(b)(ii) through (iv), the lieutenant governor shall, after making a reasonable attempt to discover if the report was timely filed, inform the county clerk and other appropriate election officials that the legislative office candidate is disqualified.
 - (c) (i) The vacancy on the ballot resulting from the disqualification may be filled as provided in Section 20A-1-501.
 - (ii) If a legislative office candidate is disqualified under Subsection (1)(a), the election officer shall:
 - (A) remove the candidate's name from the ballot; or
 - (B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted.
- (d) Notwithstanding Subsections (1)(b) and (1)(c), a legislative office candidate is not disqualified if:
- 244 (i) the candidate timely files the reports required by this section no later than the due

245	date in accordance	with Section	20A-	11	-1	0	3
Z43	date in accordance	s with Section	20A-	11	-1	. U	١,

- (ii) the reports are completed, detailing accurately and completely the information required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and
- (iii) the omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are corrected in:
 - (A) an amended report; or
 - (B) the next scheduled report.
- 253 (2) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant governor shall review each filed summary report to ensure that:
 - (i) each legislative office candidate that is required to file a summary report has filed one; and
 - (ii) each summary report contains the information required by this part.
 - (b) If it appears that any legislative office candidate has failed to file the summary report required by law, if it appears that a filed summary report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any summary report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the legislative office candidate of the violation or written complaint and direct the legislative office candidate to file a summary report correcting the problem.
 - (c) (i) It is unlawful for any legislative office candidate to fail to file or amend a summary report within seven days after receiving notice from the lieutenant governor under this section.
 - (ii) Each legislative office candidate who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.
 - (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the attorney general.
 - (iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant governor shall impose a civil fine of \$100 against a legislative office candidate who violates Subsection (2)(c)(i).
 - Section 5. Section **20A-11-507** is amended to read:

270	20A-11-50/. Pontical party financial reporting requirements Interim reports.
277	(1) The party committee of each registered political party shall file an interim report at
278	the following times in any year in which there is a regular general election:
279	(a) seven days before the registered political party's political convention;
280	(b) seven days before the regular primary election date;
281	(c) [August 31] September 30; and
282	(d) seven days before the general election date.
283	(2) Each interim report shall include the following information:
284	(a) the net balance of the last financial statement, if any;
285	(b) a single figure equal to the total amount of receipts reported on all prior interim
286	reports, if any, during the calendar year in which the interim report is due;
287	(c) a single figure equal to the total amount of expenditures reported on all prior
288	interim reports, if any, filed during the calendar year in which the interim report is due;
289	(d) a detailed listing of each contribution and public service assistance received since
290	the last summary report that has not been reported in detail on a prior interim report;
291	(e) for each nonmonetary contribution, the fair market value of the contribution;
292	(f) a detailed listing of each expenditure made since the last summary report that has
293	not been reported in detail on a prior interim report;
294	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
295	(h) a net balance for the year consisting of the net balance from the last summary
296	report, if any, plus all receipts since the last summary report minus all expenditures since the
297	last summary report; and
298	(i) a summary page in the form required by the lieutenant governor that identifies:
299	(i) beginning balance;
300	(ii) total contributions during the period since the last statement;
301	(iii) total contributions to date;
302	(iv) total expenditures during the period since the last statement; and
303	(v) total expenditures to date.
304	(3) (a) For all individual contributions or public service assistance of \$50 or less, a
305	single aggregate figure may be reported without separate detailed listings.
306	(b) Two or more contributions from the same source that have an aggregate total of

307 more than \$50 may not be reported in the aggregate, but shall be reported separately. 308 (4) In preparing each interim report, all receipts and expenditures shall be reported as 309 of five days before the required filing date of the report. 310 Section 6. Section **20A-11-508** is amended to read: 311 20A-11-508. Political party reporting requirements -- Criminal penalties -- Fines. 312 (1) (a) Each registered political party that fails to file a financial statement by the deadline is subject to a fine imposed in accordance with Section 20A-11-1005. 313 (b) Each registered political party that fails to file [the interim reports due before the 314 315 regular primary election, on August 31, or before the regular general election an interim report 316 described in Subsections 20A-11-507(1)(b) through (d) is guilty of a class B misdemeanor. 317 (c) The lieutenant governor shall report all violations of Subsection (1)(b) to the 318 attorney general. 319 (2) Within 30 days after a deadline for the filing of a summary report required by this 320 part, the lieutenant governor shall review each filed report to ensure that: 321 (a) each political party that is required to file a report has filed one; and 322 (b) each report contains the information required by this part. 323 (3) If it appears that any political party has failed to file a report required by law, if it 324 appears that a filed report does not conform to the law, or if the lieutenant governor has 325 received a written complaint alleging a violation of the law or the falsity of any report, the 326 lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the political party of the violation or written complaint and direct the political 327 328 party to file a summary report correcting the problem. 329 (4) (a) It is unlawful for any political party to fail to file or amend a summary report 330 within seven days after receiving notice from the lieutenant governor under this section. 331 (b) Each political party who violates Subsection (4)(a) is guilty of a class B 332 misdemeanor. 333 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the 334 attorney general. 335 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant

governor shall impose a civil fine of \$1,000 against a political party that violates Subsection

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(4)(a).

338	Section 7. Section 20A-11-511 is amended to read:
339	20A-11-511. County political party financial reporting requirements Interim
340	reports.
341	(1) (a) A county political party officer of a county political party that has received
342	contributions totaling at least \$750, or disbursed expenditures totaling at least \$50, during a
343	calendar year shall file an interim report at the following times in any year in which there is a
344	regular general election:
345	(i) seven days before the county political party's convention;
346	(ii) seven days before the regular primary election date;
347	(iii) [August 31] September 30; and
348	(iv) seven days before the general election date.
349	(b) A county political party officer need not file an interim report if it received no
350	contributions or made no expenditures during the reporting period.
351	(2) Each interim report shall include the following information:
352	(a) the net balance of the last financial statement, if any;
353	(b) a single figure equal to the total amount of receipts reported on all prior interim
354	reports, if any, during the calendar year in which the interim report is due;
355	(c) a single figure equal to the total amount of expenditures reported on all prior
356	interim reports, if any, filed during the calendar year in which the interim report is due;
357	(d) a detailed listing of each contribution and public service assistance received since
358	the last summary report that has not been reported in detail on a prior interim report;
359	(e) for each nonmonetary contribution, the fair market value of the contribution;
360	(f) a detailed listing of each expenditure made since the last summary report that has
361	not been reported in detail on a prior interim report;
362	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
363	(h) a net balance for the year consisting of the net balance from the last summary
364	report, if any, plus all receipts since the last summary report minus all expenditures since the
365	last summary report; and
366	(i) a summary page in the form required by the lieutenant governor that identifies:
367	(i) beginning balance;
368	(ii) total contributions during the period since the last statement;

369	(iii) total contributions to date;
370	(iv) total expenditures during the period since the last statement; and
371	(v) total expenditures to date.
372	(3) (a) For all individual contributions or public service assistance of \$50 or less, a
373	single aggregate figure may be reported without separate detailed listings.
374	(b) Two or more contributions from the same source that have an aggregate total of
375	more than \$50 may not be reported in the aggregate, but shall be reported separately.
376	(4) In preparing each interim report, all receipts and expenditures shall be reported as
377	of five days before the required filing date of the report.
378	Section 8. Section 20A-11-512 is amended to read:
379	20A-11-512. County political party Criminal penalties Fines.
380	(1) (a) A county political party that fails to file an interim report that is due seven days
381	before the county political party's convention is subject to a fine imposed in accordance with
382	Section 20A-11-1005.
383	(b) A county political party that fails to file [the interim report due before the regular
384	primary election, on August 31, or before the regular general election] an interim report
385	described in Subsections 20A-11-511(1)(a)(ii) through (iv) is subject to a fine of \$1,000, which
386	the chief election officer shall deposit in the General Fund.
387	(2) Within 30 days after a deadline for the filing of the January 10 statement required
388	by Section 20A-11-510, the lieutenant governor shall review each filed statement to ensure
389	that:
390	(a) a county political party officer who is required to file a statement has filed one; and
391	(b) each statement contains the information required by Section 20A-11-510.
392	(3) If it appears that any county political party officer has failed to file a financial
393	statement, if it appears that a filed financial statement does not conform to the law, or if the
394	lieutenant governor has received a written complaint alleging a violation of the law or the
395	falsity of any financial statement, the lieutenant governor shall, within five days of discovery of
396	a violation or receipt of a written complaint, notify the county political party officer of the
397	violation or written complaint and direct the county political party officer to file a financial
398	statement correcting the problem.

(4) A county political party that fails to file or amend a financial statement within

400 seven days after receiving notice from the lieutenant governor under this section is subject to a 401 fine of \$1,000, which the chief election officer shall deposit in the General Fund. 402 Section 9. Section **20A-11-602** is amended to read: 403 20A-11-602. Political action committees -- Financial reporting. (1) (a) Each registered political action committee that has received contributions 404 405 totaling at least \$750, or disbursed expenditures totaling at least \$50, during a calendar year shall file a verified financial statement with the lieutenant governor's office: 406 407 (i) on January 10, reporting contributions and expenditures as of December 31 of the 408 previous year; 409 (ii) seven days before the state political convention of each major political party; 410 (iii) seven days before the regular primary election date: (iv) on [August 31] September 30; and 411 (v) seven days before: 412 413 (A) the municipal general election; and 414 (B) the regular general election date. 415 (b) The registered political action committee shall report: 416 (i) a detailed listing of all contributions received and expenditures made since the last 417 statement; and 418 (ii) for [financial statements filed under] a financial statement described in Subsections 419 (1)(a)(ii) through (iv), all contributions and expenditures as of five days before the required filing date of the financial statement. 420 421 (c) The registered political action committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period. 422 423 (2) (a) The verified financial statement shall include: 424 (i) the name and address of any individual that makes a contribution to the reporting 425 political action committee, and the amount of the contribution: (ii) the identification of any publicly identified class of individuals that makes a 426 427 contribution to the reporting political action committee, and the amount of the contribution; 428 (iii) the name and address of any political action committee, group, or entity that makes 429 a contribution to the reporting political action committee, and the amount of the contribution; 430 (iv) for each nonmonetary contribution, the fair market value of the contribution;

431	(v) the name and address of each reporting entity that received an expenditure from the
432	reporting political action committee, and the amount of each expenditure;
433	(vi) for each nonmonetary expenditure, the fair market value of the expenditure;
434	(vii) the total amount of contributions received and expenditures disbursed by the
435	reporting political action committee;
436	(viii) a statement by the political action committee's treasurer or chief financial officer
437	certifying that, to the best of the person's knowledge, the financial report is accurate; and
438	(ix) a summary page in the form required by the lieutenant governor that identifies:
439	(A) beginning balance;
440	(B) total contributions during the period since the last statement;
441	(C) total contributions to date;
442	(D) total expenditures during the period since the last statement; and
443	(E) total expenditures to date.
444	(b) (i) Contributions received by a political action committee that have a value of \$50
445	or less need not be reported individually, but shall be listed on the report as an aggregate total.
446	(ii) Two or more contributions from the same source that have an aggregate total of
447	more than \$50 may not be reported in the aggregate, but shall be reported separately.
448	(3) A group or entity may not divide or separate into units, sections, or smaller groups
449	for the purpose of avoiding the financial reporting requirements of this chapter, and substance
450	shall prevail over form in determining the scope or size of a political action committee.
451	(4) (a) As used in this Subsection (4), "received" means:
452	(i) for a cash contribution, that the cash is given to a political action committee;
453	(ii) for a contribution that is a negotiable instrument or check, that the negotiable
454	instrument or check is negotiated; and
455	(iii) for any other type of contribution, that any portion of the contribution's benefit
456	inures to the political action committee.
457	(b) A political action committee shall report each contribution to the lieutenant
458	governor within 30 days after the contribution is received.
459	Section 10. Section 20A-11-603 is amended to read:
460	20A-11-603. Criminal penalties Fines.
461	(1) (a) Each political action committee that fails to file a financial statement by the

deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

(b) Each political action committee that fails to file [the] <u>a</u> financial statement [due before the regular primary election, on August 31, before the municipal general election, or before the regular general election] <u>described in Subsections 20A-11-602(1)(a)(iii) through (v)</u> is guilty of a class B misdemeanor.

- (c) The lieutenant governor shall report all violations of Subsection (1)(b) to the attorney general.
- (2) Within 30 days after a deadline for the filing of the January 10 statement required by this part, the lieutenant governor shall review each filed statement to ensure that:
 - (a) each political action committee that is required to file a statement has filed one; and
 - (b) each statement contains the information required by this part.
- (3) If it appears that any political action committee has failed to file the January 10 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any statement, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the political action committee of the violation or written complaint and direct the political action committee to file a statement correcting the problem.
- (4) (a) It is unlawful for any political action committee to fail to file or amend a statement within seven days after receiving notice from the lieutenant governor under this section.
- (b) Each political action committee that violates Subsection (4)(a) is guilty of a class B misdemeanor.
- (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the attorney general.
- (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant governor shall impose a civil fine of \$1,000 against a political action committee that violates Subsection (4)(a).
 - Section 11. Section **20A-11-701** is amended to read:
- 490 20A-11-701. Campaign financial reporting by corporations -- Filing requirements
 491 -- Statement contents -- Donor reporting and notification required.
 - (1) (a) Each corporation that has made expenditures for political purposes that total at

493	least \$750 during a calendar year shall file a verified financial statement with the lieutenant
494	governor's office:
495	(i) on January 10, reporting expenditures as of December 31 of the previous year;
496	(ii) seven days before the state political convention for each major political party;
497	(iii) seven days before the regular primary election date;
498	(iv) on [August 31] September 30; and
499	(v) seven days before the regular general election date.
500	(b) The corporation shall report:
501	(i) a detailed listing of all expenditures made since the last financial statement;
502	(ii) for [financial statements filed under] a financial statement described in Subsections
503	(1)(a)(ii) through (v), all expenditures as of five days before the required filing date of the
504	financial statement; and
505	(iii) whether the corporation, including an officer of the corporation, director of the
506	corporation, or person with at least 10% ownership in the corporation:
507	(A) has bid since the last financial statement on a contract, as defined in Section
508	63G-6a-103, in excess of \$100,000;
509	(B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of
510	\$100,000; or
511	(C) is a party to a contract, as defined in Section 63G-6a-103, in excess of \$100,000.
512	(c) The corporation need not file a financial statement under this section if the
513	corporation made no expenditures during the reporting period.
514	(2) The financial statement shall include:
515	(a) the name and address of each reporting entity that received an expenditure from the
516	corporation, and the amount of each expenditure;
517	(b) the total amount of expenditures disbursed by the corporation:
518	(i) since the last financial statement; and
519	(ii) during the calendar year;
520	(c) (i) a statement that the corporation did not receive any money from any donor
521	during the calendar year or the previous calendar year that the corporation has not reported in a
522	previous financial statement; or
523	(ii) a report, described in Subsection (3), of the money received from donors during the

524 calendar year or the previous calendar year that the corporation has not reported in a previous 525 financial statement; and 526 (d) a statement by the corporation's treasurer or chief financial officer certifying the 527 accuracy of the financial statement. 528 (3) (a) The report required by Subsection (2)(c)(ii) shall include: 529 (i) the name and address of each donor; 530 (ii) the amount of the money received by the corporation from each donor; and 531 (iii) the date on which the corporation received the money. 532 (b) A corporation shall report money received from donors in the following order: 533 (i) first, beginning with the least recent date on which the corporation received money 534 that the corporation has not reported in a previous financial statement, the money received from 535 a donor that: 536 (A) requests that the corporation use the money to make an expenditure; 537 (B) gives the money to the corporation in response to a solicitation indicating the 538 corporation's intent to make an expenditure; or 539 (C) knows that the corporation may use the money to make an expenditure; and 540 (ii) second, divide the difference between the total amount of expenditures made since 541 the last financial statement and the total amount of money reported under Subsection (3)(b)(i) 542 on a proration basis between all donors that: 543 (A) are not described in Subsection (3)(b)(i); 544 (B) gave at least \$50 during the calendar year or previous calendar year; and 545 (C) have not been reported in a previous financial statement. 546 (c) If the amount reported under Subsection (3)(b) is less than the total amount of 547 expenditures made since the last financial statement, the financial statement shall contain a 548 statement that the corporation has reported all donors that gave money, and all money received 549 by donors, during the calendar year or previous calendar year that the corporation has not 550 reported in a previous financial statement. 551 (d) The corporation shall indicate on the financial statement that the amount attributed 552 to each donor under Subsection (3)(b)(ii) is only an estimate. 553 (e) (i) For all individual donations of \$50 or less, the corporation may report a single 554 aggregate figure without separate detailed listings.

555	(ii) The corporation:
556	(A) may not report in the aggregate two or more donations from the same source that
557	have an aggregate total of more than \$50; and
558	(B) shall separately report donations described in Subsection (3)(e)(ii)(A).
559	(4) If a corporation makes expenditures that total at least \$750 during a calendar year
560	the corporation shall notify a person giving money to the corporation that:
561	(a) the corporation may use the money to make an expenditure; and
562	(b) the person's name and address may be disclosed on the corporation's financial
563	statement.
564	Section 12. Section 20A-11-702 is amended to read:
565	20A-11-702. Campaign financial reporting of political issues expenditures by
566	corporations Financial reporting Donor reporting and notification required.
567	(1) (a) Each corporation that has made political issues expenditures on current or
568	proposed ballot issues that total at least \$750 during a calendar year shall file a verified
569	financial statement with the lieutenant governor's office:
570	(i) on January 10, reporting expenditures as of December 31 of the previous year;
571	(ii) seven days before the state political convention of each major political party;
572	(iii) seven days before the regular primary election date;
573	(iv) on [August 31] September 30; and
574	(v) seven days before the regular general election date.
575	(b) The corporation shall report:
576	(i) a detailed listing of all expenditures made since the last financial statement; and
577	(ii) for [financial statements under] a financial statement described in Subsections
578	(1)(a)(ii) through (v), expenditures as of five days before the required filing date of the
579	financial statement.
580	(c) The corporation need not file a statement under this section if it made no
581	expenditures during the reporting period.
582	(2) That statement shall include:
583	(a) the name and address of each individual, entity, or group of individuals or entities
584	that received a political issues expenditure of more than \$50 from the corporation, and the
585	amount of each political issues expenditure;

586	(b) the total amount of political issues expenditures disbursed by the corporation:
587	(i) since the last financial statement; and
588	(ii) during the calendar year;
589	(c) (i) a statement that the corporation did not receive any money from any donor
590	during the calendar year or the previous calendar year that the corporation has not reported in a
591	previous financial statement; or
592	(ii) a report, described in Subsection (3), of the money received from donors during the
593	calendar year or the previous calendar year that the corporation has not reported in a previous
594	financial statement; and
595	(d) a statement by the corporation's treasurer or chief financial officer certifying the
596	accuracy of the verified financial statement.
597	(3) (a) The report required by Subsection (2)(c)(ii) shall include:
598	(i) the name and address of each donor;
599	(ii) the amount of the money received by the corporation from each donor; and
600	(iii) the date on which the corporation received the money.
601	(b) A corporation shall report money received from donors in the following order:
602	(i) first, beginning with the least recent date on which the corporation received money
603	that has not been reported in a previous financial statement, the money received from a donor
604	that:
605	(A) requests that the corporation use the money to make a political issues expenditure;
606	(B) gives the money to the corporation in response to a solicitation indicating the
607	corporation's intent to make a political issues expenditure; or
608	(C) knows that the corporation may use the money to make a political issues
609	expenditure; and
610	(ii) second, divide the difference between the total amount of political issues
611	expenditures made since the last financial statement and the total amount of money reported
612	under Subsection (3)(b)(i) on a proration basis between all donors that:
613	(A) are not described in Subsection (3)(b)(i);
614	(B) gave at least \$50 during the calendar year or previous calendar year; and
615	(C) have not been reported in a previous financial statement.
616	(c) If the amount reported under Subsection (3)(b) is less than the total amount of

617	political issues expenditures made since the last financial statement, the financial statement
618	shall contain a statement that the corporation has reported all donors that gave money, and all
619	money received by donors, during the calendar year or previous calendar year that the
620	corporation has not reported in a previous financial statement.
621	(d) The corporation shall indicate on the financial statement that the amount attributed
622	to each donor under Subsection (3)(b)(ii) is only an estimate.
623	(e) (i) For all individual donations of \$50 or less, the corporation may report a single
624	aggregate figure without separate detailed listings.
625	(ii) The corporation:
626	(A) may not report in the aggregate two or more donations from the same source that
627	have an aggregate total of more than \$50; and
628	(B) shall separately report donations described in Subsection (3)(e)(ii)(A).
629	(4) If a corporation makes political issues expenditures that total at least \$750 during a
630	calendar year, the corporation shall notify a person giving money to the corporation that:
631	(a) the corporation may use the money to make a political issues expenditure; and
632	(b) the person's name and address may be disclosed on the corporation's financial
633	statement.
634	Section 13. Section 20A-11-802 is amended to read:
635	20A-11-802. Political issues committees Financial reporting.
636	(1) (a) Each registered political issues committee that has received political issues
637	contributions totaling at least \$750, or disbursed political issues expenditures totaling at least
638	\$50, during a calendar year, shall file a verified financial statement with the lieutenant
639	governor's office:
640	(i) on January 10, reporting contributions and expenditures as of December 31 of the
641	previous year;
642	(ii) seven days before the state political convention of each major political party;
643	(iii) seven days before the regular primary election date;
644	(iv) seven days before the date of an incorporation election, if the political issues
645	committee has received donations or made disbursements to affect an incorporation;
646	(v) at least three days before the first public hearing held as required by Section
647	20A-7-204.1;

648	(vi) if the political issues committee has received or expended funds in relation to an
649	initiative or referendum, at the time the initiative or referendum sponsors submit:
650	(A) the verified and certified initiative packets as required by Section 20A-7-206; or
651	(B) the signed and verified referendum packets as required by Section 20A-7-306;
652	(vii) on [August 31] September 30; and
653	(viii) seven days before:
654	(A) the municipal general election; and
655	(B) the regular general election.
656	(b) The political issues committee shall report:
657	(i) a detailed listing of all contributions received and expenditures made since the last
658	statement; and
659	(ii) all contributions and expenditures as of five days before the required filing date of
660	the financial statement, except for a financial statement filed on January 10.
661	(c) The political issues committee need not file a statement under this section if it
662	received no contributions and made no expenditures during the reporting period.
663	(2) (a) That statement shall include:
664	(i) the name and address of any individual that makes a political issues contribution to
665	the reporting political issues committee, and the amount of the political issues contribution;
666	(ii) the identification of any publicly identified class of individuals that makes a
667	political issues contribution to the reporting political issues committee, and the amount of the
668	political issues contribution;
669	(iii) the name and address of any political issues committee, group, or entity that makes
670	a political issues contribution to the reporting political issues committee, and the amount of the
671	political issues contribution;
672	(iv) the name and address of each reporting entity that makes a political issues
673	contribution to the reporting political issues committee, and the amount of the political issues
674	contribution;
675	(v) for each nonmonetary contribution, the fair market value of the contribution;
676	(vi) except as provided in Subsection (2)(c), the name and address of each individual,
677	entity, or group of individuals or entities that received a political issues expenditure of more

than \$50 from the reporting political issues committee, and the amount of each political issues

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679	expenditure;	
680	(vii) for each nonmonetary expenditure, the fair market value of the expenditure;	
681	(viii) the total amount of political issues contributions received and political issues	
682	expenditures disbursed by the reporting political issues committee;	
683	(ix) a statement by the political issues committee's treasurer or chief financial officer	
684	certifying that, to the best of the person's knowledge, the financial statement is accurate; and	
685	(x) a summary page in the form required by the lieutenant governor that identifies:	
686	(A) beginning balance;	
687	(B) total contributions during the period since the last statement;	
688	(C) total contributions to date;	
689	(D) total expenditures during the period since the last statement; and	
690	(E) total expenditures to date.	
691	(b) (i) Political issues contributions received by a political issues committee that have a	
692	value of \$50 or less need not be reported individually, but shall be listed on the report as an	
693	aggregate total.	
694	(ii) Two or more political issues contributions from the same source that have an	
695	aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported	
696	separately.	
697	(c) When reporting political issue expenditures made to circulators of initiative	
698	petitions, the political issues committee:	
699	(i) need only report the amount paid to each initiative petition circulator; and	
700	(ii) need not report the name or address of the circulator.	
701	(3) (a) As used in this Subsection (3), "received" means:	
702	(i) for a cash contribution, that the cash is given to a political issues committee;	
703	(ii) for a contribution that is a negotiable instrument or check, that the negotiable	
704	instrument or check is negotiated; and	
705	(iii) for any other type of contribution, that any portion of the contribution's benefit	
706	inures to the political issues committee.	
707	(b) A political issues committee shall report each contribution to the lieutenant	
708	governor within 30 days after the contribution is received.	

Section 14. Section **20A-11-803** is amended to read:

710	20A-11-803.	Criminal	penalties.
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(1) (a) Each political issues committee that fails to file [the] <u>a</u> financial statement [due August 31, before the municipal general election, or before the regular general election] described in Subsection 20A-11-802(1)(a)(vii) or (viii) is guilty of a class B misdemeanor.

- (b) The lieutenant governor shall report all violations of Subsection (1)(a) to the attorney general.
- (2) Within 30 days after a deadline for the filing of the January 10 statement, the lieutenant governor shall review each filed statement to ensure that:
 - (a) each political issues committee that is required to file a statement has filed one; and
 - (b) each statement contains the information required by this part.
- (3) If it appears that any political issues committee has failed to file the January 10 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any statement, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the political issues committee of the violation or written complaint and direct the political issues committee to file a statement correcting the problem.
- (4) (a) It is unlawful for any political issues committee to fail to file or amend a statement within seven days after receiving notice from the lieutenant governor under this section.
- (b) Each political issues committee who violates Subsection (4)(a) is guilty of a class B misdemeanor.
- (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the attorney general.
- (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant governor shall impose a civil fine of \$1,000 against a political issues committee that violates Subsection (4)(a).
 - Section 15. Section **20A-11-1303** is amended to read:
- 20A-11-1303. School board office candidate and school board office holder -- Financial reporting requirements -- Interim reports.
- 739 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign account required under Subsection 20A-11-1301(1)(a)(i).

741	(b) Each school board office candidate shall file an interim report at the following
742	times in any year in which the candidate has filed a declaration of candidacy for a public office:
743	(i) May 15;
744	(ii) seven days before the regular primary election date;
745	(iii) [August 31] September 30; and
746	(iv) seven days before the regular general election date.
747	(c) Each school board office holder who has a campaign account that has not been
748	dissolved under Section 20A-11-1304 shall, in an even year, file an interim report at the
749	following times, regardless of whether an election for the school board office holder's office is
750	held that year:
751	(i) May 15;
752	(ii) seven days before the regular primary election date for that year;
753	(iii) [August 31] September 30; and
754	(iv) seven days before the regular general election date.
755	(2) Each interim report shall include the following information:
756	(a) the net balance of the last summary report, if any;
757	(b) a single figure equal to the total amount of receipts reported on all prior interim
758	reports, if any, during the calendar year in which the interim report is due;
759	(c) a single figure equal to the total amount of expenditures reported on all prior
760	interim reports, if any, filed during the calendar year in which the interim report is due;
761	(d) a detailed listing of each contribution and public service assistance received since
762	the last summary report that has not been reported in detail on a prior interim report;
763	(e) for each nonmonetary contribution:
764	(i) the fair market value of the contribution with that information provided by the
765	contributor; and
766	(ii) a specific description of the contribution;
767	(f) a detailed listing of each expenditure made since the last summary report that has
768	not been reported in detail on a prior interim report;
769	(g) for each nonmonetary expenditure, the fair market value of the expenditure;
770	(h) a net balance for the year consisting of the net balance from the last summary

report, if any, plus all receipts since the last summary report minus all expenditures since the

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772	last summary report;
773	(i) a summary page in the form required by the lieutenant governor that identifies:
774	(i) beginning balance;
775	(ii) total contributions during the period since the last statement;
776	(iii) total contributions to date;
777	(iv) total expenditures during the period since the last statement; and
778	(v) total expenditures to date; and
779	(j) the name of a political action committee for which the school board office candidate
780	or school board office holder is designated as an officer who has primary decision-making
781	authority under Section 20A-11-601.
782	(3) (a) For all individual contributions or public service assistance of \$50 or less, a
783	single aggregate figure may be reported without separate detailed listings.
784	(b) Two or more contributions from the same source that have an aggregate total of
785	more than \$50 may not be reported in the aggregate, but shall be reported separately.
786	(4) (a) In preparing each interim report, all receipts and expenditures shall be reported
787	as of five days before the required filing date of the report.
788	(b) Any negotiable instrument or check received by a school board office candidate or
789	school board office holder more than five days before the required filing date of a report
790	required by this section shall be included in the interim report.
791	Section 16. Section 20A-11-1305 is amended to read:
792	20A-11-1305. School board office candidate Failure to file statement
793	Penalties.
794	(1) (a) A school board office candidate who fails to file a financial statement by the

deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

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- (b) If a school board office candidate fails to file an interim report [due before the regular primary election, on August 31, or before the regular general election] described in Subsections 20A-11-1303(1)(b)(ii) through (iv), the chief election officer shall, after making a reasonable attempt to discover if the report was timely filed, inform the county clerk and other appropriate election officials who:
- (i) (A) shall, if practicable, remove the name of the candidate from the ballots before the ballots are delivered to voters; or

(B) shall, if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

- (c) Any school board office candidate who fails to file timely a financial statement required by Subsection 20A-11-1303(1)(b)(ii), (iii), or (iv) is disqualified.
- (d) Notwithstanding Subsections (1)(b) and (1)(c), a school board office candidate is not disqualified and the chief election officer may not impose a fine if:
- (i) the candidate timely files the reports required by this section in accordance with Section 20A-11-103;
- (ii) those reports are completed, detailing accurately and completely the information required by this part except for inadvertent omissions or insignificant errors or inaccuracies; and
- (iii) those omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are corrected in:
 - (A) an amended report; or
 - (B) the next scheduled report.
- (2) (a) Within 30 days after a deadline for the filing of a summary report by a school board office candidate, the lieutenant governor shall review each filed summary report to ensure that:
- (i) each school board candidate that is required to file a summary report has filed one; and
 - (ii) each summary report contains the information required by this part.
- (b) If it appears that a school board candidate has failed to file the summary report required by law, if it appears that a filed summary report does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any summary report, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the school board candidate of the violation or written complaint and direct the school board candidate to file a summary report correcting the problem.
 - (c) (i) It is unlawful for a school board candidate to fail to file or amend a summary

834	report within seven days after receiving notice from the lieutenant governor under this section.	
835	(ii) Each school board candidate who violates Subsection (2)(c)(i) is guilty of a class B	
836	misdemeanor.	
837	(iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the	
838	attorney general.	
839	(iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant	
840	governor shall impose a civil fine of \$100 against a school board candidate who violates	
841	Subsection (2)(c)(i).	
842	Section 17. Section 20A-11-1502 is amended to read:	
843	20A-11-1502. Campaign financial reporting of contributions Filing	
844	requirements Statement contents.	
845	(1) (a) Each labor organization that has made expenditures for political purposes or	
846	political issues expenditures on current or proposed ballot issues that total at least \$750 during	
847	a calendar year shall file a verified financial statement with the lieutenant governor's office:	
848	(i) on January 10, reporting expenditures as of December 31 of the previous year;	
849	(ii) seven days before the regular primary election date;	
850	(iii) on [August 31] September 30; and	
851	(iv) seven days before the regular general election date.	
852	(b) The labor organization shall report:	
853	(i) a detailed listing of all expenditures made since the last statement; and	
854	(ii) for [financial statements filed under] a financial statement described in Subsections	
855	(1)(a)(ii) through (iv), all expenditures as of five days before the required filing date of the	
856	financial statement.	
857	(c) The labor organization need not file a financial statement under this section if the	
858	labor organization:	
859	(i) made no expenditures during the reporting period; or	
860	(ii) reports its expenditures during the reporting period under another part of this	
861	chapter.	
862	(2) The financial statement shall include:	
863	(a) the name and address of each reporting entity that received an expenditure or	
864	political issues expenditure of more than \$50 from the labor organization, and the amount of	

each expenditure or political issues expenditure;

- (b) the total amount of expenditures disbursed by the labor organization; and
- (c) a statement by the labor organization's treasurer or chief financial officer certifying the accuracy of the financial statement.

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